

Message Text

SECRET

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
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P 041330Z APR 77
FM AMEMBASSY MANAMA BAHRAIN
TO SECSTATE WASHINGTON DC PRIORITY 4459

S E C R E T MANAMA 765

EXDIS

E.O. 11652 : GDS
TAGS : MORG, PFOR, BA
SUBJECT : FORMALIZATION OF MIDEASTFOR ARRANGEMENTS

1. IN PREPARING CIRCULAR 175 AUTHORITY FOR NEGOTIATIONS LEADING TO FORMALIZATION OF NEW FORMAT AGREEMENT FOR MIDDLE EAST FORCE, DEPT MIGHT FIND IT USEFUL TO HAVE MY THOUGHTS ON FORM AND CONTENT OF DOCUMENTS INVOLVED. AS DEPT AWARE, MIDDLE EAST FORCE'S PRESENCE HERE PRESENTLY IS GOVERNED BY TWO DOCUMENTS, THE AGREEMENT OF DECEMBER 23, 1971, AS AMENDED, AND THE LEASE FOR THE SHORE FACILITIES AND BERTHING SPACE. THE AGREEMENT OF COURSE IS THE BASIC DOCUMENT BUT THOUGH IT PROVIDES FOR PRESENCE OF VESSELS AND AIRCRAFT, MOST OF ITS PARAGRAPHS COVER STATUS OF FORCES IN STANDARD, NATO-TYPE LANGUAGE. LEASE COVERS THE IMPORTANT ELEMENTS OF NAVY'S PRESENCE HERE: IT SETS RENT, DESCRIBES SHORE FACILITIES, DELINEATES BERTHING AND AIRPORT ACCESS, AND IN GENERAL IS THE "WORKING" DOCUMENT GOVERNING PRESENCE.

2. MY FEELING AT THIS POINT IS THAT WE SHOULD TRY TO KEEP THIS ARRANGEMENT -- A BASIC, FORMAL DOCUMENT OF AGREEMENT AND A LEASE WHICH SPELLS OUT THE DETAILS OF IMPLEMENTATION -- AND IF POSSIBLE TO EXPAND IT IN SENSE THAT NEW BASIC AGREEMENT BE EVEN LESS PRECISE THAN THE OLD ONE ON NATURE OF PRESENCE AND MORE SPECIFICS OF IMPLEMENTATION BE COVERED BY NEW LEASE. SINCE

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BASIC AGREEMENT WILL BE PUBLISHED IN TIAS AND LEASE IS DOCUMENT OF MUCH LOWER PROFILE, THIS APPROACH SHOULD HELP US MEET FONMIN'S DESIRE FOR "INFORMALITY". AND IT MIGHT BE EASIER TO CLEAR WITHIN USG.

3. TACTICALLY OF COURSE WE WILL WANT TO NAIL DOWN THE LEASE DETAILS EITHER BEFORE OR, MORE LIKELY, IN PARALLEL WITH TEXT OF

BASIC AGREEMENT. AGREEMENT WILL TERMINATE HOMEPORTING AND, IF POSSIBLE, RETAIN AS VALID ELEMENTS OF OLD AGREEMENT RELEVANT TO STATUS HERE OF THOSE WHO REMAIN. LEASE WILL BE BETWEEN SOME ENTITY OTHER THAN MIDEASTFOR (SEE SUGGESTED NAME IN DRAFT NOTE BELOW) AND WHATEVER GOB OFFICER GOB DESIGNATES. THERE MIGHT BE ELEMENTS WHICH EITHER GOB OR USG WOULD FEEL NEED TO BE COVERED BUT WHICH, FOR ONE REASON OR ANOTHER, CANNOT BE ACCOMMODATED IN EITHER BASIC AGREEMENT OR LEASE. IF SUCH CASES ARISE, THEY COULD BE COVERED BY EXCHANGE OF LETTERS BETWEEN FONMIN AND ME.

4. I HAVE ASKED COMIDEASTFOR TO DRAFT NEW LANGUAGE FOR LEASE, TAKING ACCOUNT OF NEED (A) TO CHANGE LANGUAGE IN LEASE LINKING IT WITH MIDEASTFOR, (B) TO SET NEW RENT, (C) TO ESTABLISH NEW BERTHING ARRANGEMENTS AND PERIODS, AND (D) TO REMOVE ELEMENTS NO LONGER RELEVANT, SUCH AS ANTENNA FIELDS WE ALREADY HAVE GIVEN BACK TO GOB. NEW LANGUAGE FOR LEASE, WHICH MAY CONSTITUTE COMPLETE NEW LEASE OR PERHAPS, AND PREFERABLY, AMENDMENT TO EXISTING LEASE, WILL BE FORWARDED THROUGH CINCUSNAVEUR WITHIN DAY OR TWO FOR CONSIDERATION. PARA 5 BELOW IS SUGGESTED NEW BASIC AGREEMENT, LESS COMPLIMENTARY OPENING AND CLOSING, WHICH I HAVE DRAFTED. I HAVE TRIED TO BALANCE FONMIN'S DESIRE FOR INFORMALITY, LACK OF SPECIFICITY ABOUT FUTURE PRESENCE HERE, AND ROLE OF SCHOOL WITH USG'S REQUIREMENT TO HAVE PRESENCE HERE ADEQUATELY COVERED IN LEGAL SENSE. I REALIZE DEPT LAWYERS MAY FIND THAT MY LANGUAGE DOES NOT COVER ALL BASES OF CONCERN TO THEM BUT DRAFT DOES GIVE DEPT THRUST OF MY THINKING ON HOW WE SHOULD APPROACH NEW AGREEMENT. GIVEN REAL TIME PRESSURES ON
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MIDEASTFOR, AND FONMIN'S REQUEST FOR SPEEDY RESOLUTION, DEPT MIGHT WISH TO CONSIDER AUTHORIZING ME TO TRY OUT THIS APPROACH WITH FONMIN INFORMALLY, IF IT IS GENERALLY ACCEPTABLE TO DEPT. PLEASE ADVISE.

5. BEGIN TEXT OF DRAFT NOTE. I HAVE THE HONOR TO REFER TO THE AGREEMENT BETWEEN OUR TWO GOVERNMENTS OF DECEMBER 23, 1971, UNDER WHICH THE VESSELS OF THE UNITED STATES MIDDLE EAST FORCE HAVE BEEN DEPLOYED IN BAHRAIN. THE UNITED STATES GOVERNMENT INTENDS THAT THE VESSELS OF MIDDLE EAST FORCE WILL FROM JUNE 30, 1977, CONSTITUTE A NAVAL COMMAND AFLOAT WHICH WILL NO LONGER BE HOME-PORTED IN BAHRAIN. THEREFORE, THE UNITED STATES GOVERNMENT PROPOSES THAT THE AGREEMENT AS IT RELATES TO THE VESSELS OF MIDDLE EAST FORCE BE CONSIDERED TERMINATED AS FROM JUNE 30, 1977.

THE UNITED STATES GOVERNMENT PROPOSES FURTHER THAT MEMBERS OF THE NAVY LIAISON AND BAHRAIN SCHOOL SUPPORT OFFICE WHO MAY AS AGREED REMAIN IN BAHRAIN IN SUPPORT OF THE DEPARTMENT OF DEFENSE SCHOOL, THE DEFENSE FUEL QUALITY ASSURANCE OFFICE, AND

OF NAVAL VESSELS WHICH WILL VISIT BAHRAIN ON A SCHEDULE AGREED BETWEEN THE TWO GOVERNMENTS, CONTINUE TO BE GOVERNED BY THE AGREEMENT, AS AMENDED, AS IT RELATES TO PERSONAL STATUS. ADMINISTRATIVE ARRANGEMENTS APPROPRIATE TO THE NAVY LIAISON AND SCHOOL SUPPORT OFFICE WILL BE AS AGREED BETWEEN UNITED STATES AUTHORITIES AND BAHRAIN AUTHORITIES OR PERSONS.

SHOULD EITHER GOVERNMENT DETERMINE AT SOME FUTURE TIME BEYOND A DATE TWO YEARS FROM THE DATE OF THIS NOTE THAT THERE IS NO FURTHER NEED IN BAHRAIN FOR THE NAVY LIAISON AND SCHOOL SUPPORT OFFICE, THE UNITED STATES SHALL HAVE SIX MONTHS THEREAFTER TO TERMINATE ITS PRESENCE.

IF THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF BAHRAIN, I HAVE THE HONOR TO PROPOSE THAT THIS NOTE AND YOUR NOTE IN REPLY CONFIRMING ACCEPTANCE WILL CONSTITUTE AN AGREEMENT BETWEEN OUR RESPECTIVE GOVERNMENTS REGARDING THIS MATTER. END TEXT.

6. DEPT PLEASE REPEAT TO APPROPRIATE MILITARY ADDRESSEES.

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Message Attributes

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